

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOEL MARTINEZ, :

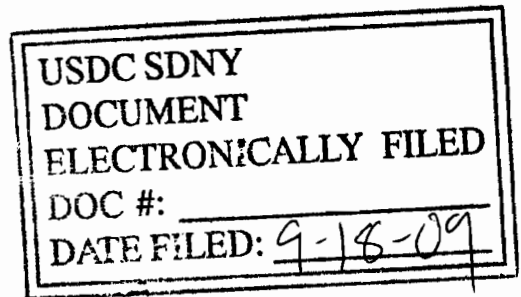
Plaintiff, :

- against - :

CORRECTIONS OFFICER ESTRADA et al., :

Defendants. :

- - - - -x



ORDER

09 Civ. 5150 (DC)

CHIN, District Judge

On September 16, 2009 defendant Corrections Sergeant Lutz filed a motion to dismiss pro se plaintiff Joel Martinez's complaint. Martinez shall respond to the motion by October 16, 2009, and Lutz's reply, if any, shall be served and filed by October 30, 2009.

The Court hereby advises Martinez that if he fails to respond to the motion to dismiss, it will either be granted by default or the Court will consider it without the benefit of Martinez's input.

SO ORDERED.

Dated: New York, New York
September 17, 2009


DENNY CHIN
United States District Judge